



California Initiative Review (CIR)

Volume 2018

Article 4

1-1-2018

Proposition 3: Water Supply and Water Quality Act of 2018

Kevin W. Bursey

University of the Pacific, McGeorge School of Law

Kaylin Huang

University of the Pacific, McGeorge School of Law

Follow this and additional works at: <https://scholarlycommons.pacific.edu/california-initiative-review>



Part of the [Legislation Commons](#)

Recommended Citation

Bursey, Kevin W. and Huang, Kaylin (2018) "Proposition 3: Water Supply and Water Quality Act of 2018," *California Initiative Review (CIR)*: Vol. 2018 , Article 4.

Available at: <https://scholarlycommons.pacific.edu/california-initiative-review/vol2018/iss1/4>

This Article is brought to you for free and open access by the Journals and Law Reviews at Scholarly Commons. It has been accepted for inclusion in California Initiative Review (CIR) by an authorized editor of Scholarly Commons. For more information, please contact mgibney@pacific.edu.

Proposition 3:
Water Supply and Water Quality Act of 2018

Bond Act

Copyright © 2018 by the University of the Pacific,
McGeorge School of Law

By

Kevin W. Bursey

J.D., University of the Pacific, McGeorge School of Law, to be conferred May 2019
B.A., Government, California State University, Sacramento, 2016

&

Kaylin Huang

M.S.L., University of the Pacific, McGeorge School of Law, to be conferred May 2019
B.A., Economics, University of California Davis, 2015

&

Sebastian Silveira

J.D., University of the Pacific, McGeorge School of Law, to be conferred May 2019
B.A., Agriculture Business, California Polytechnic State University, San Luis Obispo,
2013

I. EXECUTIVE SUMMARY

Proposition 3, the *Water Supply and Water Quality Act of 2018*, would issue \$8.877 billion of general obligation bonds towards California water projects, including categories like: water infrastructure repair, watershed lands, fish and wildlife habitat, flood protection, groundwater, and other programs.¹ Put differently, Proposition 3 gives the State permission to borrow \$8.877 billion to fund these projects and then repay the bonds over time using money from the general fund.² Proposition 3 will overlap partially with other water bonds recently adopted,³ but it is much bigger and will dedicate its funds entirely to water projects.⁴ To pass, Proposition 3 requires a simple majority vote by the people—i.e. more than 50% of all voters who vote.⁵

A **YES** vote means the State can sell \$8.877 billion in general obligation bonds to fund various water and environmental related projects.

A **NO** vote means the State could not sell \$8.877 billion in general obligation bonds to fund various water and environmental related projects.⁶

II. BACKGROUND

A. Sources of California's water supply

The State of California is characterized as a “Mediterranean” climate because of its warm, dry summers and mild winters.⁷ Most of California's water comes from winter rains and snowmelt that originates in the mountains, otherwise known as watersheds.⁸ Every year, California loses over half of this water to evaporation, vegetation, and flow to the ocean.⁹ The remainder of what is captured is used to supply urban, agricultural, environmental, and storage uses.¹⁰ On average, captured surface water accounts for about 60% of total water supply.¹¹ California has built a system of dams, reservoirs, levees, and canals to deliver this water

¹ *California Water Bond of 2018: Yes on Proposition 3*, Californians for Safe Drinking Water and a Clean and Reliable Water Supply, <https://waterbond.org/> (last visited Oct. 10, 2018).

² *Overview of State Bond Debt*, Legislative Analyst's Office, July 18, 2018, available at <https://lao.ca.gov/ballot/2018/overview-State-bond-debt-110618.pdf>.

³ Matt Weiser, *Five Things to Know About Water Bonds on Upcoming California Ballots*, Water Deeply, May 21, 2018, www.newsdeeply.com/water/articles/2018/05/21/five-things-to-know-about-water-bonds-on-upcoming-california-ballots (last visited Sep. 18, 2018).

⁴ Morain, Dan, et al., *California Proposition 3: \$8.9 Billion Water Bond*. CALMATTERS 2018 Election Guide, <https://calmatters.org/articles/blog/water-bond-proposition-3/> (last visited Oct. 10, 2018).

⁵ Cal. Constitution Art. II, § 10(a).

⁶ *Proposition 3*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballotanalysis/Propositions>

⁷ *California Water 101*, Water Education Foundation, <https://www.watereducation.org/photo-gallery/california-water-101> (last visited Oct. 10, 2018).

⁸ *Proposition 3*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballotanalysis/Propositions>

⁹ *Id.*

¹⁰ *California Water 101*, Water Education Foundation, <https://www.watereducation.org/photo-gallery/california-water-101> (last visited Oct. 10, 2018).

¹¹ *California's Water Systems*, Maven's Notebook, <https://mavensnotebook.com/the-notebook-file-cabinet/californias-water-systems/> (last visited October 10, 2018).

throughout the State.¹² Groundwater, water that is seeped beneath the earth's surface in underground layers known as aquifers,¹³ supplements the State's water supply by about 40% on average,¹⁴ especially in drought years in which groundwater accounts for roughly 60% of supply.¹⁵ Sources like imported water, water recycling, and desalination also account for a small share of the total supply.¹⁶ Generally, that is where California's water comes from.¹⁷

B. Demand for water

California's water delivery system, spanning thousands of miles, has transformed the State into one of the world's leading agricultural producers, the most populated State in the country, and one of world's largest economies.¹⁸ The system was built to deal with the physical reality that 75% of California's water supply originates in the northern third of the State while 80% of the demand is in the southern two-thirds of the State.¹⁹ Taking water from one place and moving it to another has ignited deep regional rivalries.²⁰ The way the State distributes its water, coupled with intensifying demand, have ignited a decades-long war over water in California.²¹ "The fundamental controversy is one of distribution, as conflicts between competing interests continue to be exacerbated by continued population growth and periods of drought."²² A balance must be struck between the demands of industry, the environment, and all other uses.²³ To keep everyone afloat, various federal, State, and local projects have been built over the years to solve the distribution problem.²⁴ Today's challenges include multi-year droughts, declining ecosystems, increased regulatory restrictions, climate change, increased flood risk, aging infrastructure, and groundwater depletion which, combined, further increase the unreliability of California's water system.²⁵ Accordingly, the State funds the infrastructure necessary "to assure that the economic and environmental engines of California are not derailed by a shortage of water."²⁶

¹² *Proposition 3*, Legislative Analyst's Office, <https://lao.ca.gov/ballotanalysis/Propositions>

¹³ *Groundwater*, California Department of Water Resources, available at <https://water.ca.gov/Water-Basics/Groundwater> (last visited Oct. 10, 2018).

¹⁴ *California's Water Supply*, Maven's Notebook, https://mavensnotebook.com/dpg/KeyConcepts/Californias_Water_Supply.html (last visited Oct. 10, 2018).

¹⁵ *California's Water Systems*, Maven's Notebook, <https://mavensnotebook.com/the-notebook-file-cabinet/californias-water-systems/> (last visited Oct. 10, 2018).

¹⁶ *Proposition 3*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2018/prop3-110618.pdf>.

¹⁷ *California's Water Systems*, Maven's Notebook, <https://mavensnotebook.com/the-notebook-file-cabinet/californias-water-systems/> (last visited Oct. 10, 2018).

¹⁸ *Id.*

¹⁹ *California Water 101*, Water Education Foundation, <https://www.watereducation.org/photo-gallery/california-water-101> (last visited Oct. 10, 2018).

²⁰ *California Water Issues Overview*, Water Education Foundation, <https://www.watereducation.org/aquapedia/california-water-issues-overview> (last visited Oct. 10, 2018).

²¹ *California Water 101*, Water Education Foundation, <https://www.watereducation.org/photo-gallery/california-water-101> (last visited Oct. 10, 2018).

²² *Id.*

²³ *Id.*

²⁴ Herson, Albert I. and Gary A Lucks. *Cal. Env'tl. L. & Pol'y A Prac. Guide* 2nd Edition ed., Solano Press Book, 2017, at 318.

²⁵ *Id.* at 322.

²⁶ *Authorizes Bonds to Fund Projects for Water Supply and Quality, Watershed, Fish, Wildlife, Water Conveyance, and Groundwater Sustainability and Storage. Initiative Statute.*, California Secretary of State, available at <https://www.oag.ca.gov/system/files/initiatives/pdfs/17-0010%20%28Water%20Bond%29.pdf>.

C. Voter-approved bonds are a common way to pay for water projects

Local entities, such as water districts, cities and counties, pay for and operate most water and environmental projects.²⁷ Local revenues are the lifeblood of these projects, accounting for around 84% of total funding.²⁸ The State contributes around 13% of the total amount of money spent on water projects, and the federal government contributes about 3%.²⁹ In many cases, the State gives grants and loans to local entities to help them front the money for these projects. However, the State primarily uses general obligation bonds to pay for water projects.³⁰ The money the State uses to pay the principal and interest on the bonds comes from the general fund, which is supported primarily by income and sales tax revenues. The State has about \$83 billion in total general funds.³¹ Voter-approved bonds, like Proposition 3, give the State permission to sell bonds to investors who will front the money for these projects.³²

III. THE LAW

Since 1996, voters have approved about \$31.9 billion in general obligation bonds in statewide elections to pay for different types of water and environmental projects. Of this amount, roughly one-third was still available to pay for new projects as of June 2018.³³ The water bonds appear frequently on the ballot because bond financing through the initiative process is viewed as necessary to address water issues in California.³⁴ Each bond since 1996, all mentioned below, took a different approach towards the allocation bond funding, but each bond allocated money for three different purposes: environmental, urban, and agricultural water use.

A. Existing Law

1. *Proposition 204: Safe, Clean, Reliable Water Supply Act (1996)*

Proposition 204 (1996) was a \$995 million bond measure to ensure safe drinking water, increase water supplies, clean up pollution in rivers, streams, lakes, bays, and coastal areas, protect people and property from flooding, and protect fish and wildlife. The measure made changes in the Water Conservation and Water Quality Bond Law of 1986, and the Clean Water and Water Reclamation Bond Law of 1988 to further these goals.³⁵ The California voters

²⁷ *Proposition 3*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2018/prop3-110618.pdf>.

²⁸ *California's Water*, Public Policy Institute of California, Oct. 2016, available at http://www.ppic.org/content/pubs/report/R_1016WPCBKR.pdf.

²⁹ *Id.*

³⁰ *Proposition 3*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2018/prop3-110618.pdf>.

³¹ *Overview of State Bond Debt*, Legislative Analyst's Office, July 18, 2018, available at <https://lao.ca.gov/ballot/2018/overview-State-bond-debt-110618.pdf>.

³² *Proposition 3*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2018/prop3-110618.pdf>.

³³ *Id.*

³⁴ Pitzer, Gary, Statewide water bond measures could have Californians doing a double-take in 2018, April 6, 2018, <https://www.watereducation.org/western-water/Statewide-water-bond-measures-could-have-californians-doing-double-take-2018> (last visited Oct. 10, 2018).

³⁵ *Proposition 204: Safe, Clean, Reliable Water Supply Act*, Legislative Analyst's Office, https://lao.ca.gov/ballot/1996/prop204_11_1996.html (last visited Sep. 18, 2018).

approved the ballot measure 62.84% in favor—to—37.16% in opposition.³⁶ The funds within Proposition 204 went into four categories disbursed to California Department of Food and Agriculture as well as the Department of Water Resources (DWR) and the State Water Board: Bay-Delta Improvement - \$193 million; CALFED Bay-Delta Ecosystem Restoration - \$390 million; Clean Water and Water Recycling - \$235 million; Water Supply Reliability - \$117 million; and Local Flood Control and Prevention- \$60million.³⁷

2. *Proposition 12: Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act (2000)*

Proposition 12 (2000) was a \$2.1 billion bond measure to raise funds to restore parks and recreational facilities, preserve open space and farmland and protect the watersheds, wetlands, and coastal areas that keep water clean.³⁸ First priority was given to projects in fast-growing urban centers: the urban conservation corps, recreation for at-risk youth, open space preservation in burgeoning suburbs, and protection of wildlife areas in sprawling counties.³⁹ The California voters approved the ballot measure 63.20% in favor—to—36.80% in opposition.⁴⁰ The funds within Proposition 12 were distributed to California State Parks Office of Grants and Local Services and went into two categories; Grants to Local Governments and Nonprofit Groups - \$940 million and State Projects - \$940 million⁴¹

3. *Proposition 13: Safe Drinking Water, Clean Water, Watershed Protection, And Flood Protection Act (2000)*

Passed in the same election as Proposition 12 (2000), Proposition 13 was a \$1.9 billion bond issuance for safe drinking water, flood protection, and water quality programs that aimed to solve California's water problems by aiding six types of programs: drinking water facilities, flood protection, watershed protection, pollution control and water recycling, water conservation and water supply reliability.⁴² Proposition 13 directed DWR, Department of Fish and Game, State Water Board and other agencies to distribute the funds from the sale of bonds.⁴³ The California voters approved the ballot measure 64.80% in favor—to—35.20% in opposition.⁴⁴ The funds within Proposition 13 went into six categories: Safe Drinking Water Facilities - Public

³⁶ *State Ballot Measures*, Secretary of State, available at <https://elections.cdn.sos.ca.gov/sov/1996-general/measures.pdf>.

³⁷ *Proposition 204: Safe, Clean, Reliable Water Supply Act*, Legislative Analyst's Office, https://lao.ca.gov/ballot/1996/prop204_11_1996.html (last visited Sep. 18, 2018).

³⁸ *Proposition 12*, Legislative Analyst's Office, https://lao.ca.gov/ballot/2000/12_03_2000.html (last visited Sep. 18, 2018).

³⁹ *Id.*

⁴⁰ *State Ballot Measures*, Secretary of State, available at <https://elections.cdn.sos.ca.gov/sov/2000-primary/measures.pdf>.

⁴¹ *Proposition 12*, Legislative Analyst's Office, https://lao.ca.gov/ballot/2000/12_03_2000.html (last visited September 18, 2018)

⁴² *Proposition 13*, Legislative Analyst's Office, https://lao.ca.gov/ballot/2000/13_03_2000.html (last visited September 18, 2018)

⁴³ *Propositions 12 and 13 Parks and Water Bonds: Implementation Issues*, Legislative Analyst's Office, (May 25, 2000) https://lao.ca.gov/2000/052500_parkwater_bonds/052500_parkwater_bonds.html (last visited September 29, 2018)

⁴⁴ *State Ballot Measures*, Secretary of State, available at <https://elections.cdn.sos.ca.gov/sov/2000-primary/measures.pdf>

water system capital improvements - \$70 million; Flood Protection - \$292 million; Watershed Protection - \$468 million; Clean Water and Water Recycling - \$355 million; and Water Supply Reliability - \$630 million.⁴⁵

4. *Proposition 40: The California Clean Water, Clean Air, and Safe Neighborhood Parks and Coastal Protection Act (2002)*

Proposition 40 (2002) was a \$2.6 billion sale of general obligation bonds for the purpose of financing a program for the acquisition, development, restoration, protection, rehabilitation, stabilization, reconstruction, preservation and interpretation of park coastal, agriculture, air, and historical resources.⁴⁶ The Proposition was placed on the ballot by AB 1602 Keeley (D-Sacramento), and was viewed as a continued investment in California's natural resource and recreational parks.⁴⁷ The California voters approved the ballot measure 56.9% in favor-to-43.1% in opposition.⁴⁸ The funds within Proposition 40, were distributed by Secretary of the Resource Agency, went into three categories; Land, Air, and Water Conservation - \$1.275 billion; Parks and Recreation - \$1.057 billion; and Historical and Cultural Resources Preservation- Acquisition, development, and preservation of culturally and/or historically significant properties, structures, and artifacts - \$267.5 million.⁴⁹

5. *Proposition 50: Water Quality, Supply and Safe Drinking Water Projects. Coastal Wetlands Purchase and Protection. Bonds. Initiative Statute (2002)*

Proposition 50 (2002) was a \$3.4 billion sale of general obligation bonds to fund various water related programs and projects throughout the State.⁵⁰ It provided funding for a number of programs to acquire and protect coastal wetlands and watersheds, conserve and protect water resources, and develop and improve the reliability of water supplies.⁵¹ These funds have been provided through the CALFED Bay-Delta Program which is a joint State and federal effort to better manage water resources in this region.⁵² The California voters approved the ballot measure 55.3% in favor-to-44.7% in opposition.⁵³ The funds within Proposition 50 went into eight categories; Coastal Protection - \$950 million, CALFED Bay-Delta Program - \$825 million; Integrated Regional Water Management - \$640 million; Safe Drinking Water - System upgrades,

⁴⁵ *Proposition 13*, Legislative Analyst's Office, https://lao.ca.gov/ballot/2000/13_03_2000.html (last visited September 18, 2018)

⁴⁶ *Proposition 40*, Legislative Analyst's Office, https://lao.ca.gov/ballot/2002/40_03_2002.htm (last visited September 18, 2018)

⁴⁷ *Id.*

⁴⁸ *State Ballot Measures*, Secretary of State, available at <https://elections.cdn.sos.ca.gov/sov/2002-primary/measures.pdf>

⁴⁹ *Proposition 40*, Legislative Analyst's Office, https://lao.ca.gov/ballot/2002/40_03_2002.htm (last visited September 18, 2018)

⁵⁰ *Proposition 50*, Legislative Analyst's Office, https://lao.ca.gov/ballot/2002/50_11_2002.htm (last visited September 18, 2018)

⁵¹ *Id.*

⁵² *California General Election Voter Guide*, Secretary of State, (Tuesday, November 5, 2002) available at https://web.archive.org/web/20141226143106/http://vote2002.sos.ca.gov/2002-vig/pdf/bp_pe01.pdf at pg 32.

⁵³ *State Ballot Measures*, Secretary of State, available at <https://elections.cdn.sos.ca.gov/sov/2002-primary/measures.pdf>

contaminant removal and treatment, water quality monitoring, drinking water source protection - \$435 million; Clean Water and Water Quality - \$370 million; Desalination and Water Treatment Project - Desalination projects, treatment/removal of specified contaminants, drinking water disinfecting projects - \$100 million; Colorado River Management - Ecosystem restoration & canal lining - \$70 million; and Water Security - Protection of drinking water systems from terrorist attacks and other deliberate acts of destruction or degradation - \$50 million.⁵⁴

6. Proposition 1: Water Quality, Supply, and Infrastructure Improvement Act of 2014 (2014)

After a decade without a water resources bond, Proposition 1 (2014) was placed on the ballot and represented a \$7.1 billion sale of general obligation bond. The measure also redirected \$425 million in unsold general obligation bonds that were previously approved by voters for resource-related uses—to fund various water-related programs, with the total authorization amounting to \$7.5 billion in bond funding.⁵⁵ Working in conjunction with Governor Brown, the Legislature enacted AB 1471 a \$7.5 billion measure that assuaged bipartisan and nearly unanimous support for water storage projects that kept the bond size reasonable.⁵⁶ Proposition 1 distributed the funds to several governmental organizations including; California Water Commission, Natural Resources Agency, State Water Board, Central Valley Flood Protection Board, and the Wildlife Conservation Board.⁵⁷ The California voters approved the ballot measure 69.1% in favor—to 32.9% in opposition.⁵⁸ The funds within Proposition 1 went into four categories: Water Supply - \$4.235 billion; Watershed Protection and Restoration - \$1.495 billion; Improvements to Groundwater and Surface Water Quality - \$1.420 billion; and Flood Protection - \$395 million⁵⁹

7. Proposition 68: Parks, Environment, and Water Bond (2018)

This past summer, voters approved a \$4.1 billion general obligation bond for Natural Resources Programs. Proposition 68 (2018) allows the State to sell bonds for various natural resource related program, the Natural Resources Agency was to distribute and audit any monies that were included in the Proposition.⁶⁰ Senate President Kevin de León (D-24), who is challenging incumbent Dianne Feinstein (D) for the U.S. Senate in 2018, was the lead author of the \$4-billion bond in the California State Legislature.⁶¹ The California voters approved the

⁵⁴ *Proposition 50*, Legislative Analyst's Office, available at https://lao.ca.gov/ballot/2002/50_11_2002.htm (last visited September 18, 2018)

⁵⁵ *Proposition 1*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2014/prop-1-110414.pdf>

⁵⁶ Latham & Watkins, Massive California water bond slated for November 4 General Election as Proposition 1 (Sept. 18, 2018), available at <http://www.lw.com/thoughtLeadership/lwcalifornia-water-bond-proposition-201>

⁵⁷ *Proposition 1*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2014/prop-1-110414.pdf>

⁵⁸ *Statement of Vote November 4, 2014, General Election*, Secretary of State, at 14, available at <https://elections.cdn.sos.ca.gov/sov/2014-general/pdf/2014-complete-sov.pdf>

⁵⁹ *Proposition 1*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2014/prop-1-110414.pdf>

⁶⁰ *Proposition 68*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2018/Prop68-060518.pdf>

⁶¹ *Id.*

ballot measure 57.4% in favor—to 42.6% in opposition.⁶² The funds within Proposition 68 went into three categories: Natural Resources Conservation and Resilience - \$1.547 billion; Parks and Recreation - \$1.283 billion; and Water generally - \$1.270 billion⁶³

B. Proposed Law: Proposition 3 (2018)

If approved by the voters, Proposition 3 would authorize the sale of \$8.877 billion in general obligation bonds to fund various water and environmental projects.⁶⁴ The language of Proposition 3 has been divided into six categories:

Figure 1

Uses of Proposition 3 Bond Funds
(In Millions)

Category	Primary Activities	Amount
Watershed lands	Protect, restore, and improve the health of watershed lands in specified areas of the state to increase the amount and quality of water.	\$2,495
Water supply	Improve and increase: drinking water and wastewater treatment, water recycling, collection and clean-up of rainwater, and water conservation.	2,130
Fish and wildlife habitat	Improve habitats for fish and wildlife, including by restoring streams and wetlands to more natural conditions.	1,440
Water facility upgrades	Make connections and repairs to existing dams, canals, and reservoirs.	1,227
Groundwater	Clean up, recharge, and manage groundwater.	1,085
Flood protection	Reduce flood risk, including by expanding floodplains and repairing reservoirs.	500
Total		\$8,877

1. Watershed Land Improvement (\$2.5 billion)

“Proposition 3 will fund projects to improve the conditions of watershed lands, which include forests, meadows, wetlands, and areas near rivers.”⁶⁵ The money must be used to protect or improve the supply and quality of the water that comes from watershed lands. Many of these projects would also have environmental benefits, such as improving habitat for fish and wildlife

⁶² State Ballot Measures, Secretary of State, available at <https://elections.cdn.sos.ca.gov/sov/2018-primary/sov/132-ballot-measures.pdf>

⁶³ *Id.*

⁶⁴ *Proposition 3*, Legislative Analyst’s Office, available at <https://lao.ca.gov/ballot/2018/prop3-110618.pdf>

⁶⁵ *Id.*

or reducing the risk of forest fires. This funding category includes about 50 subcategories with special requirements, including that certain amounts be spent in specific areas of the State.⁶⁶ The \$2.5 billion will go to the improvement of the watersheds including the Sierra Nevada (\$200 million), Southern California (\$180 million), Central Valley (\$150 million), Coastal Conservancy (\$135 million), the Bay Area (\$100 million), Tahoe (\$60 million), and the remaining \$1.68 billion is dedicated to other watershed locations in California.⁶⁷

2. *Water Supply* (\$2.1 billion)

Proposition 3 does not include any funding for building new dams.⁶⁸ It does not include funding for the construction of storage projects “so as not to interfere with the work of the California Water Commission” in awarding Proposition 1 (2014) funds.⁶⁹ Instead, this funding is for projects that will increase the amount of water available for people to use by other means. Within the language of Proposition 3 various State agencies, like the State Water Resources Control Board and Department of Water Resources, or local governmental groups, like Friant Water Authority and several River Conservancy organizations, will be granted the money from the bond measure to be used for projects and other investments.⁷⁰ The \$2.1 billion would be spent on projects such as collecting and cleaning up rainwater (\$550 million), cleaning up drinking water (\$500 million), and recycling wastewater (\$400 million), water conservation activities (\$300 million), and the remaining \$350 million goes to similar types of projects.⁷¹

3. *Fish and Wildlife Habitat* (\$1.4 billion)

This category funds projects that will improve habitat for fish and wildlife.⁷² These types of projects could include increasing the amount of water that flows to a wetland or river, as well as buying undeveloped land to keep it in a natural State. This category is intended to target funding for projects that help certain native fish in the Central Valley (\$400 million), salmon and steelhead trout (\$300 million), and migratory birds (\$280 million).⁷³

4. *Water Facility Upgrades* (\$1.2 billion)

This category funds upgrades and repairs to certain existing canals, dams, and conservation projects that will improve overall water security and availability.⁷⁴ The \$1.2 billion

⁶⁶ *Id.*

⁶⁷ *Distribution of Prop 3 Excel, Yes on 3*, California Water Bond, available at <https://waterbond.org/wp-content/uploads/2017/10/Water-Bond-Fund-Distribution.xlsx> (last visited Sep. 18, 2018).

⁶⁸ *Five Things to Know About Water Bonds on Upcoming California Ballots*, News Deeply: Water Deeply, available at <https://www.newsdeeply.com/water/articles/2018/05/21/five-things-to-know-about-water-bonds-on-upcoming-california-ballots> (last visited Oct. 10, 2018).

⁶⁹ *Authorizes Bonds to Fund Projects for Water Supply and Quality, Watershed, Fish, Wildlife, Water Conveyance, and Groundwater Sustainability and Storage. Initiative Statute.*, California Secretary of State, available at <https://www.oag.ca.gov/system/files/initiatives/pdfs/17-0010%20%28Water%20Bond%29.pdf>

⁷⁰ *Id.*

⁷¹ *Distribution of Prop 3 Excel, Yes on 3*, California Water Bond, available at <https://waterbond.org/wp-content/uploads/2017/10/Water-Bond-Fund-Distribution.xlsx> (last visited Sep. 18, 2018).

⁷² *Id.*

⁷³ *Proposition 3*, Legislative Analyst’s Office, available at <https://lao.ca.gov/ballot/2018/prop3-110618.pdf>

⁷⁴ *Id.*

will go towards repairing the Madera and Friant-Kern canals (\$750 million), building canals and other conveyance systems in the Bay Area to improve interconnections between water agencies (\$250 million), and repairing Oroville Dam (\$200 million).⁷⁵

5. *Groundwater* (\$1.1 billion)

This category funds projects to improve groundwater quality, stabilizing groundwater levels in over-drafted basins, the implementation of the Sustainable Groundwater Management Act (SGMA), and other projects that will ensure future groundwater availability.⁷⁶ \$640 million is dedicated to projects that will help facilitate the implementation of SGMA,⁷⁷ and \$400 million will go towards groundwater desalination (\$400 million).⁷⁸

6. *Flood Protection* (\$500 million)

This category funds projects that reduce the risk of floods. These projects may include expanding floodplains and repairing reservoirs.⁷⁹ Some of these projects would provide added benefits, like improving fish and wildlife habitat and increasing water supplies.⁸⁰ The \$500 million will be distributed as follows: Central Valley flood protection (\$200 million), San Francisco Bay Area wetlands flood protection (\$200 million), and State flood control reservoirs (\$100 million).⁸¹

IV. DRAFTING ISSUES

No drafting issues appear in Proposition 3 because the bond measure will fund existing programs and agencies that have already been operating. Gerald Meral, who developed this initiative, was Deputy Director of DWR, Executive Director of the Planning and Conservation League, and was Deputy Secretary of the California Natural Resources Agency.⁸² Proponents maintain that the bond was carefully crafted and “[Dr. Gerald Meral] knows what he is doing.”⁸³ Furthermore, given the clear delineations for the spending and the propriety of the bond issuance language, it does appear that there are unlikely to be any technical concerns should the measure pass.

⁷⁵ *Distribution of Prop 3 Excel, Yes on 3*, California Water Bond, available at <https://waterbond.org/https://waterbond.org/wp-content/uploads/2017/10/Water-Bond-Fund-Distribution.xlsx> (last visited Sep. 18, 2018).

⁷⁶ *Authorizes Bonds to Fund Projects for Water Supply and Quality, Watershed, Fish, Wildlife, Water Conveyance, and Groundwater Sustainability and Storage. Initiative Statute.*, California Secretary of State, available at <https://www.oag.ca.gov/system/files/initiatives/pdfs/17-0010%20%28Water%20Bond%29.pdf>

⁷⁷ *Distribution of Prop 3 Excel, Yes on 3*, California Water Bond, available at <https://waterbond.org/https://waterbond.org/wp-content/uploads/2017/10/Water-Bond-Fund-Distribution.xlsx> (last visited Sep. 18, 2018).

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *Proposition 3*, Legislative Analyst’s Office, available at <https://lao.ca.gov/ballot/2018/prop3-110618.pdf>

⁸¹ *Distribution of Prop 3 Excel, Yes on 3*, California Water Bond, available at <https://waterbond.org/https://waterbond.org/wp-content/uploads/2017/10/Water-Bond-Fund-Distribution.xlsx> (last visited Sep. 18, 2018).

⁸² *Natural Heritage Institute*, Board & Staff (October 10, 2018), <https://n-h-i.org/about-nhi/board-staff/> (last visited October 11, 2018)

⁸³ Interview phone call by Sebastian Silveira with Jeff Volburg, Director of Water Law & Policy, California Waterfowl Association (Sep. 14, 2018).

V. CONSTITUTIONAL ISSUES

No constitutional issues appear to arise. Proposition 3 would be a bond supported by the General Obligation Proceeds Fund, which the State Legislature has the authority to use to sell bonds.⁸⁴ Proposition 3's bond total (\$8.877 billion) may be issued and sold to provide in order to carry out its purposes and reimburse the General Obligation Bond Expense Revolving Fund.⁸⁵ The bonds, when sold, constitute a binding obligation on the State to pay both the principal and interest as they become due and payable.⁸⁶

VI. POLICY CONSIDERATIONS

A. Legislative Analyst's Office Projected Fiscal Impact

State Bond Cost Estimates	
Authorized new borrowing	\$8.9 billion
Average annual cost to pay off bonds	\$430 million
Likely repayment period	40 years
Source of repayment	General Fund tax revenues

The Legislative Analyst's Office estimates that "the cost to State taxpayers to repay this bond would total \$17.3 billion to pay off both principal (\$8.9 billion) and interest (\$8.4 billion)." This would result in average costs of about \$430 million annually over the next 40 years, which is about one-third of 1% of the current general fund budget.⁸⁷ This will increase State debt by \$17.2 billion.⁸⁸ Because most of the funding would be used for local agency projects, local agencies will likely save around \$200 million annually over the next few decades if Proposition 3 is passed. If these projects were completely self-financed, it may take longer for projects to break ground or to even be considered.⁸⁹ Other than those local agencies that would build additional or larger projects on their own, the net result is estimated to be a savings for local governments.

B. Proponent Arguments

The main proponents for Proposition 3 are the "Californians for Safe Drinking Water and a Clean and Reliable Water Supply," which is made up of a variety of national and statewide conservation, environmental, water advocacy and agricultural interest groups, and other

⁸⁴ Cal. Constitution Art. XVI, § 1.5

⁸⁵ Cal. Government Code § 16724.5; *see also* *Authorizes Bonds to Fund Projects for Water Supply and Quality, Watershed, Fish, Wildlife, Water Conveyance, and Groundwater Sustainability and Storage. Initiative Statute.*, California Secretary of State, available at <https://www.oag.ca.gov/system/files/initiatives/pdfs/17-0010%20%28Water%20Bond%29.pdf>

⁸⁶ *Id.*

⁸⁷ *Proposition 3*, Legislative Analyst's Office, available at <https://lao.ca.gov/ballot/2018/prop3-110618.pdf>

⁸⁸ *California Ballot Initiative Analysis: Proposition 3*, Reason Foundation, <https://reason.org/commentary/california-ballot-initiative-analysis-proposition-3/> (last visited Oct. 19, 2018).

⁸⁹ *Id.*

stakeholders.⁹⁰ In general, proponents argue that Proposition 3 tackles a variety of water issues in California, including “improving long term drought preparedness, providing safe drinking water to millions of Californians, including those in disadvantaged communities, increasing mountain water runoff we can capture and use, repairing existing canals, repairing Oroville and other dams, improving water quality in groundwater, rivers, lakes, and streams,” and more.⁹¹ The driving force behind their arguments is that California must take steps to ensure the reliability of its surface water supply,⁹² groundwater sustainability,⁹³ and maintain the quality of those waters.⁹⁴ They believe Proposition 3 is a necessary step towards solving California’s water problems without waiting for Congress or the State to act on their own.⁹⁵ In particular, proponents believe Proposition 3 will:

- Bring reliable and clean water to disadvantaged communities and greatly alleviate the burdens of securing a safe water source for those groups.⁹⁶ For example, Proposition 3 would help many disadvantaged communities that rely solely on groundwater that has become increasingly polluted and depleted.⁹⁷
- Accomplish the goals set forth in SGMA, helping to replenish depleted groundwater basins and groundwater quality.⁹⁸
- Help maintain and restore natural habitat. For example, endangered species and habitat areas “need \$400 million to \$700 million more each year to mitigate the damage of past actions and promote the health of native species,”⁹⁹ and proponents believe Proposition 3 funds are necessary to accomplish this goal.¹⁰⁰

⁹⁰ *Official Endorsement List*, Yes on 3: California Water Bond 2018, available at <https://waterbond.org/official-endorsement-list-for-the-water-supply-and-water-quality-act-of-2018/> (last visited October 10, 2015)

⁹¹ *Proposition 3, California General Election Official Voter Information Guide*, California Secretary of State, available at <https://vig.cdn.sos.ca.gov/2018/general/pdf/complete-vig.pdf>

⁹² *Ballot Argument, Proposition*, Yes on 3: California Water Bond 2018, available at <https://waterbond.org/wp-content/uploads/2018/08/Argument-and-Rebuttal-Proposition-3-1.pdf>

⁹³ *Proposition 3 Makes Important Investments in Sustainable Groundwater Management in California*, Northern California Water Association, <http://www.norcalwater.org/2018/09/12/proposition-3-makes-important-investments-in-sustainable-groundwater-management-in-california/> (last visited Oct. 19, 2018).

⁹⁴ *Ballot Argument, Proposition*, Yes on 3: California Water Bond 2018, available at <https://waterbond.org/wp-content/uploads/2018/08/Argument-and-Rebuttal-Proposition-3-1.pdf>

⁹⁵ *Questions and Answers about Proposition 3*, Yes on 3: California water Bond 2018, available at <https://waterbond.org/wp-content/uploads/2017/11/Questions-and-Answers-about-the-Water-Supply-and-Water-Quality-bond-act.pdf>

⁹⁶ *Ballot Argument, Proposition*, Yes on 3: California Water Bond 2018, available at <https://waterbond.org/wp-content/uploads/2018/08/Argument-and-Rebuttal-Proposition-3-1.pdf>

⁹⁷ *California’s Water Quality Challenges*, Public Policy Institute of California, available at <http://www.ppic.org/publication/californias-water-quality-challenges/> (last visited October 10, 2015)

⁹⁸ *Proposition 3 Makes Important Investments in Sustainable Groundwater Management in California*, Northern California Water Association, <http://www.norcalwater.org/2018/09/12/proposition-3-makes-important-investments-in-sustainable-groundwater-management-in-california/> (last visited Oct. 19, 2018).

⁹⁹ *California’s Water System Faces a Funding Drought*, Public Policy Institute of California, available at <http://www.ppic.org/press-release/californias-water-system-faces-a-funding-drought/> (last visited October 10, 2015)

¹⁰⁰ *Ballot Argument, Proposition*, Yes on 3: California Water Bond 2018, available at <https://waterbond.org/wp-content/uploads/2018/08/Argument-and-Rebuttal-Proposition-3-1.pdf>

- Keep Californians safe from floods and ensure water supply reliability. For example, Oroville Dam and Friant-Kern Canal repairs will cost more than \$1.35 billion to ensure those projects can continue to hold and deliver water despite damage to them.¹⁰¹

C. Opponent Arguments

Opponents to Proposition 3 include the Sierra Club, Friends of the River, League of Women Voters of California, and the Sacramento Bee. Opponents make various arguments against Proposition 3. Generally, however, they argue Proposition 3 gives money to lots of organizations but will not produce one drop of new, usable water, and that interest payments on the bonds will double the amount that has to be repaid to bond holders.¹⁰² In particular, opponents believe Proposition 3 is misguided because it fails to build new dams or new infrastructure designed to capture and store water needed to alleviate California's insufficient water supply.¹⁰³ Furthermore, opponents argue "[i]nstead of projects that would capture or store more of the precious precipitation . . . officials pander to special interests and pour millions of dollars into parks, hiking trails, wildlife . . . things that have nothing to do with solving the State's water shortages. Half the water in our rivers just runs into the Pacific Ocean."¹⁰⁴ On the other hand, other opponents argue Proposition 3 does not do enough for the environment and may actually worsen environmental conditions because it lacks language necessary to prevent activities that could take water away from the environment.¹⁰⁵

Additionally, Opponents claim that "a little more than \$4 Billion—almost half—is going to disadvantaged communities with no explanation of who or where they are."¹⁰⁶ However, State agencies do have established guidelines for identifying and assisting disadvantaged communities such as the work done by the California Water Boards.¹⁰⁷

Lastly, opponents like Janet Roberts, President of Central Solano Citizen/Taxpayer Group, argue "Proposition 3 claims to solve one of California's major problems—our chronic shortage of water. Don't be misled. Nothing in the measure will accomplish that. It's basically a scheme to collect a lot of money for special interests. We, our children, and our grandchildren

¹⁰¹ Vartabedian, Ralph, *Oroville Dam repair costs soar past \$1 billion*, Los Angeles Times, (September 5, 2018), <http://www.latimes.com/local/california/la-me-oroville-cost-20180905-story.html> (last visited October 10, 2018); see also Dale Kasler and Phillip Reese, *The Valley Floor is Sinking and it's Crippling California's Ability to deliver Water*, Sacramento Bee, <https://www.sacbee.com/news/state/california/water-and-drought/article214631455.html> (last visited Oct. 19, 2018).

¹⁰² *Proposition 3*, Official Voter Information Guide, <http://voterguide.sos.ca.gov/propositions/3/> (last visited Oct. 19, 2018).

¹⁰³ *Proposition 3, Argument and Rebuttals*, California Secretary of State, available at <https://vig.cdn.sos.ca.gov/2018/general/pdf/prop3-arg-rebuttals.pdf>

¹⁰⁴ *Proposition 3, Argument and Rebuttals*, California Secretary of State, available at <https://vig.cdn.sos.ca.gov/2018/general/pdf/prop3-arg-rebuttals.pdf>

¹⁰⁵ *Proposition 3, a Fiscally Irresponsible Approach to California's Water Problems*, Sierra Club, available at https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/sierra-club-california/PDFs/FactSheet_Proposition3_Opposition-July18.pdf

¹⁰⁶ *Proposition 3, Argument and Rebuttals*, California Secretary of State, available at <https://vig.cdn.sos.ca.gov/2018/general/pdf/prop3-arg-rebuttals.pdf>

¹⁰⁷ Consolidation Statistics, California State Water Boards, https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/dashboard.html (last visited October 10, 2018)

will pay for it.”¹⁰⁸ The Vote No on Proposition 3 group similarly argues that Proposition 3 robs the people of billions of dollars to benefit the groups who get these monies instead of the taxpayers.¹⁰⁹ Ultimately, opponents argue that despite a decades-long drought and the \$30 billion dedicated through water bonds over the past 20 years, California has nothing to show for all that money and Proposition 3 will lead to a similar result: “not one thing that will get us more water.”¹¹⁰

VII. CONCLUSION

Proposition 3, would issue \$8.877 billion of general obligation bonds towards California water projects, including categories like: water infrastructure repair, watershed lands, fish and wildlife habitat, flood protection, groundwater, and other programs. If passed, the State can sell \$8.877 billion in general obligation bonds to fund various water and environmental related projects. If Proposition 3 does not pass, the State could not sell \$8.877 billion in general obligation bonds to fund various water and environmental related projects, and local governments will need to find ways to cover the costs of water projects.¹¹¹

VIII. Appendix

Proposition 3 would authorize the sale of \$8.877 billion in general obligation bonds to fund various water and environmental projects.¹¹² The language of Proposition has been divided into seven categories:

Chapter 5 Improvement of Water Supply and Water Quality.

- \$750 million for expenditures, grants, and loans to improve water quality or help provide clean, safe, and reliable drinking water.¹¹³
 - \$500 million shall be available for grants and loans for public water system infrastructure improvements and related actions.¹¹⁴
 - \$250 million shall be available for deposit in the State Water Pollution Control Revolving Fund Small Community Grant Fund for grants and loans for wastewater treatment projects.¹¹⁵

¹⁰⁸ *California Proposition 3, Water Infrastructure and Watershed Conservation Bond Initiative 2018*, Ballotpedia, [https://ballotpedia.org/California_Proposition_3,_Water_Infrastructure_and_Watershed_Conservation_Bond_Initiative_\(2018\)](https://ballotpedia.org/California_Proposition_3,_Water_Infrastructure_and_Watershed_Conservation_Bond_Initiative_(2018)) (last visited Oct. 19, 2018).

¹⁰⁹ *Proposition 3 is an Irresponsible Approach to California’s Water Problems*, Vote No on Proposition 3, <https://www.noprop3ca.com/> (last visited Oct. 19, 2018).

¹¹⁰ *California Proposition 3, Water Infrastructure and Watershed Conservation Bond Initiative 2018*, Ballotpedia, [https://ballotpedia.org/California_Proposition_3,_Water_Infrastructure_and_Watershed_Conservation_Bond_Initiative_\(2018\)](https://ballotpedia.org/California_Proposition_3,_Water_Infrastructure_and_Watershed_Conservation_Bond_Initiative_(2018)) (last visited Oct. 19, 2018).

¹¹¹ *Id.* at 6.

¹¹² *Authorizes Bonds to Fund Projects for Water Supply and Quality, Watershed, Fish, Wildlife, Water Conveyance, and Groundwater Sustainability and Storage. Initiative Statute.*, California Secretary of State, available at <https://www.oag.ca.gov/system/files/initiatives/pdfs/17-0010%20%28Water%20Bond%29.pdf>

¹¹³ *Id.* at Pg 7

¹¹⁴ *Id.*

¹¹⁵ *Id.* at Pg 8

- Up to \$60 million shall be made available for drinking water infrastructure and/or wastewater improvements on private property, or for interim replacement drinking water supplies.¹¹⁶
- \$400 million to award grants and loans to eligible entities wastewater recycling projects.¹¹⁷
- \$400 million to award grants and loans to eligible entities for desalination of brackish groundwater, and other brackish water desalination projects.¹¹⁸
- \$300 million for water conservation efforts; Statewide turf removal, leak detection, toilet replacement, water meters, or energy saving water conservation.¹¹⁹
- \$15 million for matching grants to local agencies to aid in the construction and implementation of agricultural water conservation projects.¹²⁰
- \$200 million to the Central Valley Flood Protection Board for; enlargement and environmental enhancement of existing floodways and bypasses and Improvement of flood control facilities and environmental enhancement.¹²¹
- \$100 million for repair and reoperation of reservoirs that provide flood control.¹²²
- \$200 million to the San Francisco Bay Restoration Authority to provide matching grants for flood management, wetlands restoration, and other projects.¹²³
- \$60 million in funding for water measurement and information.
 - \$20 million for development of methods and installation of water measuring equipment to improve estimates of water balance, water budgets, diversions and water use to support water allocations, drought management, groundwater management, water quality management and water rights.¹²⁴
 - \$10 million for development of information systems, technologies, and data that improve the State board's ability to manage water rights.¹²⁵
 - \$10 million to the Water Data Administration Fund to be used in consultation with the State board for the purpose of making California water information interoperable.¹²⁶
 - \$20 million
 - \$5 million to the University of California for its multicampus Water Security and Sustainability Research Initiative.
 - \$5 million to the California Water Institute at California State University, Fresno.
 - \$5 million to the Irrigation Training and Research Center at California Polytechnic State University San Luis Obispo.

¹¹⁶ *Id.*

¹¹⁷ *Id.* at 9.

¹¹⁸ *Id.*

¹¹⁹ *Id.* at 10-12.

¹²⁰ *Id.* at 12.

¹²¹ *Id.* at 13.

¹²² *Id.* at 13-14.

¹²³ *Id.* at 15

¹²⁴ *Id.* at 15-16.

¹²⁵ *Id.* at 16.

¹²⁶ *Id.*

- \$5 million to the Office of Water Programs at California State University, Sacramento¹²⁷
- \$400 million to the State board for projects to capture and use urban dry weather runoff and storm water runoff.
 - \$30 million to the California Tahoe Conservancy.¹²⁸
 - \$40 million to the Santa Monica Mountains Conservancy.¹²⁹
 - \$40 million to the San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy.¹³⁰
 - \$40 million State Coastal Conservancy.¹³¹
- \$5 million to provide direct funding support to approved Integrated Regional Water Management regional water management groups.¹³²
-

Chapter 6 Watershed, Land, and Fisheries Improvements.

- \$2.355 billion to protect, restore and improve the health of watershed lands.¹³³
 - \$200 to the Sierra Nevada Conservancy for the protection, restoration and improvement of Sierra Nevada watersheds.¹³⁴
 - \$60 million to the California Tahoe Conservancy.¹³⁵
 - \$100 million to the San Francisco Bay Area Conservancy Program.¹³⁶
 - \$180 million for watershed restoration in Los Angeles, Ventura, and Orange Counties.¹³⁷
 - \$60 million to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.
 - \$60 million to the Santa Monica Mountains Conservancy.
 - \$30 million to the Santa Ana River Conservancy Program of the Coastal Conservancy.
 - \$30 million to the Baldwin Hills Conservancy.
 - \$40 million to the San Diego River Conservancy.¹³⁸
 - \$135 million to the State Coastal Conservancy.¹³⁹
 - \$150 million for the protection and restoration of the watersheds of the Sacramento and San Joaquin Rivers.¹⁴⁰

¹²⁷ *Id.*

¹²⁸ *Id.* at 17.

¹²⁹ *Id.*

¹³⁰ *Id.*

¹³¹ *Id.*

¹³² *Id.* at 18.

¹³³ *Id.*

¹³⁴ *Id.*

¹³⁵ *Id.* at 19.

¹³⁶ *Id.*

¹³⁷ *Id.*

¹³⁸ *Id.*

¹³⁹ *Id.*

- \$100 million to the Sacramento-San Joaquin Delta Conservancy.
- \$20 million to the San Joaquin River Conservancy.
- \$30 million to the Lower American River Conservancy Fund.
- \$170 million for river parkways
 - \$70 million to the California Natural Resources Agency.
 - \$10 million State Coastal Conservancy - Guadalupe River corridor.
 - \$10 million State Coastal Conservancy - Russian River corridor.
 - \$10 million State Coastal Conservancy - Santa Clara River corridor.
 - \$10 million State Coastal Conservancy - Tijuana River corridor.
 - \$10 million State Coastal Conservancy - Carmel River corridor.
 - \$10 million State Coastal Conservancy - Napa River corridor.
 - \$15 million State Coastal Conservancy - San Diego Bay watershed.
 - \$15 million State Coastal Conservancy - Santa Margarita River in San Diego County.
 - \$10 million State Coastal Conservancy - Upper Truckee River corridor.
- \$150 million restore, protect and preserve the Los Angeles River
 - \$75 million San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.
 - \$75 million Santa Monica Mountains Conservancy.
- \$300 million to the Wildlife Conservation Board.¹⁴¹
 - \$10 million made available to assist farmers in integrating agricultural activities with watershed restoration and wildlife protection.
 - \$50 million made available to the Oak Woodlands Conservation.
 - \$30 million made available for grazing land protection pursuant to the California Rangeland, Grazing Land and Grassland Protection Act.
 - \$60 million made available conservation objectives pursuant to the Natural Community Conservation Planning Act.
- \$25 million to the Coachella Valley Mountains Conservancy.
- \$150 million to the Department of Parks and Recreation.
- \$60 million to the Department of Conservation.
- \$100 million to the California Ocean Protection Council.
- \$200 million to the Fund to the Natural Resources Agency, for water-related projects that implement the Natural Resources Agency's Salton Sea Management Program
- \$5 million to the Delta Stewardship Council for the Delta Science Program.
- \$50 million to the Urban Streams Restoration Program.
- \$20 million to the California Department of Forestry and Fire Protection.
- \$50 million to the Delta Protection Commission.¹⁴²
- \$20 million to Department of Parks and Recreation for non-motorized recreation.¹⁴³
- \$20 million to the Wildlife Conservation Board

¹⁴⁰ *Id.* at 20.

¹⁴¹ *Id.* at 21-22.

¹⁴² *Id.* at 23.

¹⁴³ *Id.* at 24.

- \$80 million to the Coastal Conservancy for the removal of Matilija Dam.
- \$25 million to the University of California for the Natural Reserve System.
- \$50 million to the Sierra Nevada Conservancy wildfire threat reduction.¹⁴⁴
- \$100 million to the Wildlife Conservation Board
- \$40 million to the California Conservation Corps for projects.¹⁴⁵
- \$400 million for Central Valley fish restoration.¹⁴⁶

Chapter 7 Groundwater sustainability and storage.

- \$675 million for projects and programs that support sustainable groundwater management
- \$10 million to the State board, for use by the Office of Sustainable Water Solutions.
 - \$640 million shall be available for or grants to groundwater sustainability agencies implementing groundwater sustainability plans.¹⁴⁷
 - \$5 million shall be available for research to guide investments.
 - \$10 million shall be available to develop tools to assist groundwater sustainability agencies.
 - \$5 million shall be allocated to higher education for facilities to be used to improve communication and coordination among institutions.¹⁴⁸
- \$35 million to the Borrego Water District for its fallowing program.¹⁴⁹

Chapter 8 Water for Wildlife, Pacific Flyway Restoration, & Dynamic Habitat Management.

- \$300 million to the Wildlife Conservation Board to acquire water for fish and wildlife.¹⁵⁰
- \$50 million to the California Department of Fish and Wildlife for the purpose of improving water supply and water quality conditions for fish and wildlife on private lands.¹⁵¹
- \$300 million to the Wildlife Conservation Board for coastal and Central Valley salmon and steelhead fisheries restoration projects.¹⁵²
- \$280 million to the Wildlife Conservation Board for projects to protect migratory birds.¹⁵³
- \$10 million to the department for grants to the Regional Water Authority and to the City of Sacramento on behalf of the Sacramento Area Water Forum for projects.¹⁵⁴

¹⁴⁴ *Id.* at 24-25.

¹⁴⁵ *Id.* at pg. 28.

¹⁴⁶ *Id.* at pg. 28-29.

¹⁴⁷ *Id.* at pg. 31.

¹⁴⁸ *Id.* at pg. 32.

¹⁴⁹ *Id.* at pg. 34.

¹⁵⁰ *Id.* at pg. 35.

¹⁵¹ *Id.* at pg. 36.

¹⁵² *Id.*

¹⁵³ *Id.*

¹⁵⁴ *Id.* at 37.

Chapter 9 Bay Area Regional Water Reliability.

- \$250 million for a grant to the group of eight water agencies collectively known as the Bay Area Regional Reliability Partnership for new facilities that extend the benefits of surface water storage for region-wide benefits.¹⁵⁵

Chapter 10 Improved Water Conveyance and Water Conservation.

- \$750 million for a grant to the Friant Water Authority for water conveyance capital improvements, including restored and increased conveyance capacity to and in the Madera and Friant-Kern canals.¹⁵⁶
- \$100 million to the Natural Resources Agency for actions that support the settlement agreement to restore the San Joaquin River.¹⁵⁷
- \$5 million for a diversion of water from the Sacramento River to the North Bay Aqueduct.¹⁵⁸

Chapter 11 Oroville Dam Flood Safety.

- \$200 million for repair and reconstruction of the spillways at the Oroville Dam.¹⁵⁹
- \$21 million to Sutter Butte Flood Control Agency for Feather River sediment management and floodwater attenuation projects.¹⁶⁰
- \$1 million to the Butte County for capital outlay projects and equipment for emergency preparedness coordination and communications.¹⁶¹

¹⁵⁵ *Id.* at 37-38.

¹⁵⁶ *Id.* at 38.

¹⁵⁷ *Id.* at 38.

¹⁵⁸ *Id.*

¹⁵⁹ *Id.* at 39.

¹⁶⁰ *Id.*

¹⁶¹ *Id.*